

**PUBLIC MEETING**  
**February 13, 2001**

Chair Karolin Loendorf called the meeting to order at 9:00 a.m. Commissioners Murray and Varone were present. Others attending all or a portion of the hearing included Sharon Haugen, Frank Rives, Bill Bahny, Greg Bahny, Robert Hudnall, Karen Borowiak, Richards Black, Jerry McCauley, Shirley McCanery, Dewer Hahlbohm, Ed Shea, and Carole Byrnes.

Minutes. There were no minutes to approve.

Hearing on Protest and Consideration of a Resolution to Create Rural Improvement District No. 2001-1 for Maintenance of the Oro Fino Park. (cont. from 2-6-01). Commissioner Varone moved that the Commission approve the resolution to create an RID for maintenance of the Oro Fino Park. The motion died for the lack of a second.

Commissioner Murray moved that the Commission direct planning staff to readvertise and rehear the Oro Fino RID including all of the Oro Fino Subdivisions and exclude the McHugh Land and Livestock property and the Wayne Effertz property as non-benefiting properties. Commissioner Loendorf seconded the motion.

Commissioner Varone stated she is concerned about excluding the two tracts of land proposed because once this park is up and running that it will improve the property values for the tracts of land and they have a responsibility to be included. I also am concerned that we are setting a precedence because more than 60 percent of the individuals in the area approved the establishment of the park.

Commissioner Murray stated from the tape and the map that the Effertz property is in the floodplain and can never be developed and the McHugh property is also floodplain property.

Commissioner Varone offered a substitute motion to include all properties in Oro Fino Subdivision and rehear it leaving the two properties in and study the issue when they re-testify. Commissioner Murray seconded the motion and it carried unanimously.

Commissioner Varone stated when she voted yes on the two pieces of property to be included, her recorded vote should be "no" for the overall motion.

The motion proposed to expand the entire park RID to include all of Oro Fino Subdivisions with no exclusions.

Proposed Minor Subdivision, Summary Review, Ravens Acres Minor. The applicant proposes to create two lots, each for one single-family dwelling. The proposal is generally located south of and adjacent to Raven Road. The applicant, Bill Bahny, was present and indicated his willingness to proceed. Frank Rives presented the staff report. The applicant and the owner of Tract A have entered into an agreement for a 30-foot wide access easement across a portion of Tract A to allow legal access to Tract B2 to Raven Road. Raven Road does not meet county road construction, road width, and right-of-way standards. This subdivision does not have physical access because it does not conform to county road standards. Two variances are required: (1) that no single lot shall be divided by a public road; and (2) from the design standards and construction standards. Soil depths and non-degradation are major concerns. Staff has recommended denial of the subject proposal for the following reasons: (1) Tracts B1 and B2 do not have physical access because Ravens Road is not a road constructed to county road standards; (2) a portion of Raven Road is not constructed to the minimum road width standard of 24 feet; (3) the Raven Road right-of-way may not meet the minimum 60 foot road width; and (4) Raven Road to the junction of Birdseye Road does not meet the minimum road design standards.

Bill Bahny, 3355 Valley Drive. Mr. Bahny proposed adding a covenant to waive the property owner's right to protest a road RSID. He believes there is sufficient room for two cars to pass in opposite directions. There has been no comment by the Sheriff and/or the fire department claiming that this is an unsafe road. It will cost approximately \$50,000 to improve Raven Road to county standards. It will cost approximately \$12,000 to shape the road to a 24-foot top.

Richard Black, 6751 Raven Road. Mr. Black stated his concern regarding wells in the area and septic problems. There is a Raven Road Association with limited members.

Commissioner Varone moved that staff prepare conditions of approval and render a final decision Thursday, March 8, 2001 at 9:00 a.m. Commissioner Loendorf seconded the motion. Commissioner Murray opposed the motion. The motion carried 2-1. The conditions of approval will be available February 23.

There being no other business, the meeting adjourned at 9:55 a.m.